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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/649,120	08/28/2000	Thierry Laurent	P00039902	7048

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CHRISTOPHER M. TOBIN  
FENWICK & WEST LLP  
TWO PALO ALTO SQUARE  
PALO ALTO, CA 94306

EXAMINER

BAUGH, APRIL L

ART UNIT	PAPER NUMBER
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2141

4  
DATE MAILED: 11/20/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/649,120

Applicant(s)

LAURENT ET AL.

Examiner

April L Baugh

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 August 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                  | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). ____.  |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)         | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____. | 6) <input type="checkbox"/> Other: ____.                                    |

## **DETAILED ACTION**

### ***Claim Objections***

1. Claims 1 and 8 objected to because of the following informalities: on page 21, claim 1 reads "...logical devices the storage domain servers;" and should read "...logical devices in the storage domain servers;" and on page 23, claim 8 reads "...physical devices in the storage domain server..." and should read "physical devices in the storage area network". Appropriate correction is required.

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-14 rejected under 35 U.S.C. 102(e) as being unpatentable by US Patent No. 6,640,278 to Nolan et al.

Regarding claim 1, Nolan et al. teaches a global storage system for use with computer networks, further comprising: a computer network having a plurality of computers; at least one of the computers is a storage domain server; at least one physical storage device is controlled by the storage domain server; a storage area network, at least two computers in the computer

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network attached to each other via the storage network (column 1, lines 33-38 and 43-46); and a storage domain (column 2, lines 3-9), further comprising: means to map the physical storage devices to logical devices the storage domain servers (column 2, lines 57-60); means to control access to the logical devices in the storage domain servers (column 2, lines 42-47 and 65-67); and an interface between the storage area network and the storage domain server which presents the logical devices to the storage area network; whereby access to data on a storage domain server is made to a logical device that represents a physical device (column 2, lines 19-23).

Referring to claim 8, Nolan et al. teaches a method of providing global data storage on computer networks, including the steps of: interconnecting a plurality of computers in a storage area network; using at least one storage domain server as one of the computers in the storage area network; attaching at least one physical storage device to the storage domain server (column 2, lines 42-47); controlling access to the physical devices in the storage domain server with a storage domain (column 2, lines 65-67); mapping the physical devices attached to the storage domain server to logical devices (column 2, lines 57-60); and controlling access to the logical devices with the storage domain; whereby access to data on a logical device in a storage domain server is made independently of a physical device (column 2, lines 19-23).

Regarding claims 2 and 9, Nolan et al. teaches a system, as in claim 1 and 8, further comprising: means in the storage domain to access devices allocated to the storage domain server (column 2, lines 65-67).

Referring to claims 3 and 10, Nolan et al. teaches a system, as in claim 2 and 9, wherein: the storage domain authorizes access to logical devices (column 2, lines 42-47 and 65-67).

Regarding claims 4 and 11, Nolan et al. teaches a system, as in claim 3 and 10, further comprising: a plurality of storage domains, each storage domain having means to access a selected storage domain server (column 2, lines 27-28 and 42-47).

Referring to claims 5 and 12, Nolan et al. teaches a system, as in claim 4 and 11, wherein: at least two storage domains concurrently have access to the same storage domain server (column 2, lines 27-28).

Regarding claims 6 and 13, Nolan et al. teaches a system, as in claim 5 and 12, wherein: at least two storage domains concurrently have access to the same logical device (column 2, lines 27-28 and 42-47).

Referring to claims 7 and 14, Nolan et al. teaches a system, as in claim 6 and 12, further comprising: at least one fiber channel having a data protocol; and the storage area network having means to use the fiber channel data protocol to move data between computers (column 1, lines 43-50).

### ***Conclusion***

1. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The following patents are cited to further show the state of the art with respect to using storage domains for controlling data in storage area networks in general:

US Pat No. 6,606,690 to Pasovano

US Pat No. 6,073,209 to Bergsten.

US Pat No. 6,148,349 to Chow et al.

US Pat No. 6,571,354 to Parks et al.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to April L Baugh whose telephone number is 703-305-5317. The examiner can normally be reached on Monday-Friday 8:30am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal D Dharia can be reached on 703-305-4003. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

ALB

  
**RUPAL DHARIA**  
**SUPERVISORY PATENT EXAMINER**